

**REMARKS**

By this Amendment, Applicants amend claims 1-4, 6-11, 13-18, and 20-23, and cancel claims 27 and 28 without prejudice or disclaimer. Accordingly, claims 1-26 remain pending in this application.

In the Office Action,<sup>1</sup> the Examiner rejected claims 1, 3, 5, 8, 10, 12, 15, 17, 19, 27, and 28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,944,615 to Teng et al. ("Teng") in view of U.S. Patent No. 5,761,660 to Josten et al. ("Josten"); rejected claims 6, 7, 13, 14, and 20-26 under 35 U.S.C. § 103(a) as being unpatentable over *Teng* in view of *Josten* and U.S. Patent No. 6,507,853 to Bamford et al. ("Bamford"); and rejected claims 2, 4, 9, 11, 16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Teng* in view of *Josten*, *Bamford*, and U.S. Patent No. 6,772,255 to Daynes ("Daynes").

I. **Information Disclosure Statement**

Applicants filed an Information Disclosure Statement (IDS) on June 19, 2007, which has been entered in the image file wrapper. However, the Examiner has not acknowledged the receipt of the IDS. Accordingly, Applicants respectfully request that the Examiner consider the listed documents in the IDS and return an initialed copy of the IDS Form PTO/SB/08.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement of characterization in the Office Action.

II. **Rejection of Claims 1, 3, 5, 8, 10, 12, 15, 17, 19, 27, and 28 under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 1, 3, 5, 8, 10, 12, 15, 17, 19, 27, and 28 under 35 U.S.C. § 103(a) as being unpatentable over *Teng* in view of *Josten*. A *prima facie* case of obviousness has not been established.

To establish a *prima facie* case of obviousness, the prior art (taken separately or in combination) must teach or suggest all the claim limitations. See M.P.E.P. § 2142, 8th Ed., Rev. 5 (August 2006). Moreover, “in formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed.” USPTO Memorandum from Margaret A. Focarino, Deputy Commissioner for Patent Operations, May 3, 2007, page 2.

A *prima facie* case of obviousness has not been established because, among other things, the prior art fails to teach each and every element of Applicants’ claims.

Independent claim 1, as amended, recites a “method for controlling access to a data object stored in a first storage location” including “checking . . . whether the ID is associated with a second storage location.” (Emphases added.)

Applicants previously asserted that *Teng* fails to disclose “checking . . . whether the ID is associated with a storage location,” as recited in claim 1 before this Amendment. In response, the Examiner alleges that “Teng does in fact teach that the lock manager will not grant more than one lock for a single table row (column 3, lines 32-45). Therefore, the lock manager does in fact check whether the ID is associated with a storage location, which is equivalent to Teng’s single table row.” Office Action

mailed December 27, 2006, page 14. Applicants disagree because no ID in *Teng* (e.g., RID, C1, C2, T1, T2, etc.) is associated with a storage location. Even assuming that these IDs in *Teng* could be considered to be associated with a database location or a table location of the corresponding data to which the IDs are referring to, which Applicants do not concede, the IDs in *Teng* are associated with the same location as the corresponding data. Therefore, *Teng* fails to teach or suggest any “ID [of a data object stored in a first storage location] associated with a second storage location,” as recited in claim 1 (emphases added).

Furthermore, *Josten* fails to cure the above-discussed deficiencies of *Teng*. The Examiner contends *Josten* teaches “determining whether a transactional lock has been successfully set on the data object; determining whether a permanent lock has been set on the data object based on whether a transactional lock has been successfully set on the data object; and granting read/write access to the data object based on the permanent lock not being set on the data object.” Office Action, p. 4. However, even if the Examiner’s contention is correct, which Applicants do not concede, *Josten* does not teach or suggest “checking . . . whether the ID is associated with a second storage location,” as recited in amended claim 1. Therefore, the prior art, taken alone or in proper combination, fails to teach or suggest each and every element of claim 1. Thus, a *prima facie* case of obviousness has not been established with respect to claim 1 for at least the above reasons.

Independent claims 8 and 15, although different in scope from claim 1, are allowable for at least reasons similar to those stated above for claim 1. Dependent claims 3, 5, 10, 12, 17, and 19 are allowable at least by virtue of their dependence from

allowable base claims 1, 8, and 15. Claims 27 and 28 have been canceled, rendering the rejection thereof moot. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 1, 3, 5, 8, 10, 12, 15, 17, and 19 under 35 U.S.C. § 103(a).

**III. Rejection of Claims 6, 7, 13, 14, and 20-26 under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 6, 7, 13, 14, and 20-26 under 35 U.S.C. § 103(a) as being unpatentable over *Teng* in view of *Josten* and *Bamford*. A *prima facie* case of obviousness has not been established because, among other things, the prior art fails to teach or suggest each and every element of Applicants' claims.

As discussed above, *Teng* and *Josten*, taken alone or in proper combination, fail to teach or suggest each and every element of independent claims 1, 8, and 15. Furthermore, independent claim 22 recites "a data object stored in a first storage location" and "a link, associated with the ID, to a second storage location." (Emphases added.) Therefore, *Teng* and *Josten*, taken alone or in proper combination, fail to teach or suggest each and every element of claim 22 for at least reasons similar to those given above for claim 1.

Furthermore, *Bamford* fails to cure the above-discussed deficiencies of *Teng* and *Josten*. The Examiner contends *Bamford* teaches "before performing the check, storing . . . in a second lock object, which is stored in a volatile storage means." Office Action, p. 8. Even if the Examiner's contention is correct, which Applicants do not concede, *Bamford* does not teach or suggest "checking . . . whether the ID is associated with a

second storage location," as recited in amended claim 1. Therefore, the prior art, taken alone or in combination, fails to disclose or suggest every element of claim 22. Thus, a *prima facie* case of obviousness has not been established with respect to claim 22 for at least the above reasons. Dependent claims 6, 7, 13, 14, 20, 21, and 23-26 are allowable at least by virtue of their dependence from allowable base claims 1, 8, 15, and 22. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 6, 7, 13, 14, and 20-26 under 35 U.S.C. § 103(a).

**IV. Rejection of Claims 2, 4, 9, 11, 16, and 18 under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 2, 4, 9, 11, 16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Teng* in view of *Josten*, *Bamford*, and *Daynes*. A *prima facie* case of obviousness has not been established because, among other things, the prior art fails to teach or suggest each and every element of Applicants' claims.

As discussed above, *Teng* and *Josten*, taken alone or in proper combination, fail to teach or suggest each and every element of independent claims 1, 8, and 15. As stated above, *Bamford* fails to cure the deficiencies of *Teng* and *Josten*. Furthermore, *Daynes* fails to cure the deficiencies of *Teng*, *Josten*, and *Bamford*. The Examiner contends *Daynes* teaches "deleting the ID from the second lock object, if the ID is not yet associated with a storage location." Office Action, p. 13. Even if the Examiner's contention is correct, which Applicants do not concede, *Daynes* does not teach or suggest "checking . . . whether the ID is associated with a second storage location," as recited in amended claim 1. Therefore, dependent claims 2, 4, 9, 11, 16, and 18 are

allowable at least by virtue of their dependence from allowable base claims 1, 8, and 15. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of claims 2, 4, 9, 11, 16, and 18 under 35 U.S.C. § 103(a).

**CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 12, 2007

By: C. Gregory Gramenopoulos  
for C. Gregory Gramenopoulos  
Reg. No. 36,532



PATENT  
Attorney Docket No. 07781.0086-00  
SAP Reference No. 2002P00135 US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Martin FISCHER et al. ) Group Art Unit: 2168  
Application No.: 10/656,208 ) Examiner: Jay A. MORRISON  
Filed: September 8, 2003 ) Confirmation No.: 7499  
For: METHODS AND SYSTEMS FOR )  
CONTROLLING ACCESS TO A )  
DATA OBJECT )

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AUTHORIZATION TO ACT IN A REPRESENTATIVE CAPACITY**

The practitioners named below are authorized to conduct interviews and have the authority to bind the principal concerned. Furthermore, the practitioners are authorized to file correspondence in the above-identified application pursuant to 37 C.F.R. § 1.34.

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**This is not a Power of Attorney to the above-named practitioners.**

Accordingly, the practitioners named above do not have authority to sign a request to change the correspondence address, a request for an express abandonment, a disclaimer, a power of attorney, or other document requiring the signature of the applicant, assignee of the entire interest or an attorney of record.

The power of attorney in the above-identified application is currently to FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Customer No. 22,852.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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Dated: October 12, 2007

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